

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BAYERISCHE HYPO-UND
VEREINSBANK AG, NEW YORK
BRANCH,

Plaintiff,

-against-

WACHOVIA BANK, N.A., f/k/a FIRST
UNION NATIONAL BANK, as Trustee of
HEILIG-MEYERS MASTER TRUST,

Defendant.

No. 07 Civ. 6073 (JGK)

STIPULATION OF
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED that, pursuant to Federal Rule
of Civil Procedure 41(a)(1), this action is dismissed without prejudice and without costs to any
party.

New York, New York
August 1, 2007

USDC SDNY
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So ordered.
8/1/07 *JRG/Kelt*
U.S.D.S.